

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-00030

CLYDE ANDERSON, JR.

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On July 3, 2018, the United States of America appeared by C. Haley Bunn, Assistant United States Attorney, and the defendant, Clyde Anderson, Jr., appeared in person and by his counsel, Rhett H. Johnson, Assistant Federal Public Defender, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Justin L. Gibson. The defendant commenced a 24-month term of supervised release in this action on November 29, 2017, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on September 5, 2017.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed methamphetamine as evidenced by a positive urine specimen submitted by him on March 5, 2018, the result of which was lab confirmed; the defendant used and possessed cocaine as evidenced by a positive urine specimen submitted by him on March 20, 2018, the result of which was lab confirmed; the defendant possessed synthetic marijuana on April 12, 2018, which Dismas Charities staff found in his possession; and the defendant used and possessed synthetic marijuana as evidenced by a positive urine specimen submitted by him on April 23, 2018, the defendant having signed a voluntary admission form acknowledging his use of the substance; (2) the defendant violated the condition that he not use any method or device to evade a drug screen inasmuch as on April 12, 2018, the offender admitted to the probation officer that he had intentionally purchased urine, which he knew would test positive for controlled substances, in an attempt to be terminated from Dismas Charities; and (3) the defendant failed to abide by the special condition that he spend a period of six months in a

community confinement center inasmuch as he entered Dismas Charities on December 6, 2017, and was terminated from the program on April 12, 2018, after being found in possession of synthetic marijuana; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

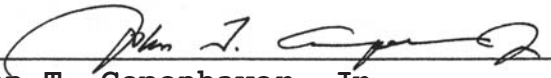
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of eighteen (18) months of supervised release upon the standard conditions of supervised

release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: July 5, 2018

  
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John T. Copenhaver, Jr.  
United States District Judge